

FEB -- 9 2006

For The Northern Mariana Islands
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(Deputy Clerk)

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**UNITED STATES DISTRICT COURT
 FOR THE
 NORTHERN MARIANA ISLANDS**

PATTI C. BALLONE, ET AL.,

Plaintiffs,

v.

BERT D. MONTGOMERY, ET AL.,

Defendants.

) **CIVIL CASE NO. 03-0013**

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GRM
~~**PROPOSED**~~ **ORDER GRANTING**
DEFENDANTS AND THIRD-PARTY
PLAINTIFFS' MOTION TO DISMISS
AND FOR OTHER RELIEF

Date : February 9, 2006

Time : 9:00 a.m.

Judge: Alex R. Munson

DAVID H. SCHMIDT, ET AL.,

Plaintiffs,

v.

1 **BERT D. MONTGOMERY, ET AL.,**)
2 **Defendants,**)
3 **v.**)
4 **UNITED FOREX EXCHANGE, ET AL.,**)
5 **Third-Party Defendants.**)
6)
7)

8 Pursuant to the Motion to Dismiss filed by Defendants and Third-Party Plaintiffs Paul
9 Calvo, Edward Calvo and Thomas JM Calvo ("the Calvos"), and JLH Pacific Trust ("the Trust"),
10 the settlement agreement reached by all parties appearing in this matter, the pleadings and the
11 other papers on file and the applicable law, the Court ORDERS as follows:
12

13
14 This action is hereby dismissed with prejudice. The remaining funds in the
15 Indemnification Trust Account are ordered released in accordance with the terms of the
16 settlement agreement. Furthermore, the Calvos and the Trust are exonerated pursuant to 28
17 U.S.C. § 1335 as against any and all claims related to the funds interplead in this suit. Each party
18 shall bear its own fees and costs. This Court retains jurisdiction in this case to enforce the terms
19 and conditions of the settlement agreement reached between the parties.
20

21
22 Dated: February 9, 2006.
23

24 **RECEIVED**

25 **DEC 28 2005**

26 Clerk
27 District Court
28 For The Northern Mariana Islands


Alex R. Munson, Judge